

EXHIBIT B

1 **COMP**
2 JANET MARKLEY
3 Nevada Bar No. 004009
4 LAW OFFICES OF JANET MARKLEY
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CLERK OF THE COURT

10 **DISTRICT COURT**
11 **CLARK COUNTY, NEVADA**

12 MELISSA STRAWDER-McCURRY,

13 Plaintiff,

14 vs.

15 WAL-MART STORES, INC., d/b/a
16 WALMART, DOES I through X, inclusive,
17 and ROE CORPORATIONS I through X,
18 inclusive,

19 Defendants.

CASE NO. A-12-673600-C
DEPT. NO. XVIII

20 **COMPLAINT**

21 Plaintiff, MELISSA STRAWDER-McCURRY, by and through her attorney, JANET S.
22 MARKLEY, ESQ., alleges as follows:

23 **GENERAL ALLEGATIONS**

24 1. Plaintiff, MELISSA STRAWDER-McCURRY was at all relevant times, a resident
25 of County of Clark, State of Nevada.

26 2. At all times relevant to this Complaint, Defendant WALMART., a Delaware
27 Corporation was and is doing business in Clark County, State of Nevada.

28 3. The true names and capacities, whether individual, corporate, associate, or otherwise
of defendants Does I through X, inclusive, and Defendants Roe Corporations I through X, inclusive,
are unknown to Plaintiff who therefore sues those Defendants by such fictitious names, but are

believed to be agents, servants, employers, or employees of the other defendants named in this
complaint. Plaintiff is informed and believes, and upon such alleges, that each of the Defendants

1 designated as a Doe or Roe Corporation is negligently responsible in some manner for the events and
2 happenings referred to in this Complaint, and negligently caused injury and damages directly and
3 proximately to the Plaintiff as alleged in this Complaint; that such Doe Defendants and Roe
4 corporations Defendants were the agents, servants, or employees, of each other or other Defendants
5 named in this Complaint, and in doing the things alleged in this Complaint, each were acting within
6 the course and scope of said agency, servitude, authority, and employment, with knowledge,
7 permission, and consent of the other Defendants. Plaintiff asks leave of this Court to amend this
8 Complaint and insert the true names and capacities of said does I through X, inclusive, and Roe
9 corporations I through X, inclusive, when the name have been ascertained by Plaintiff, together with
10 the appropriate charging allegations, and to joint these Defendants in this action.

11 4. At all times mentioned herein, Defendants, and each of them, were the agents,
12 servants, partners, and employees of each and every other Defendant, and were acting within the
13 course and scope of their agency, partnership, and employment.

14 5. On or about December 17, 2010, Plaintiff, MELISSA STRAWDER-McCURRY, was
15 an invitee of WALMART, located at 6005 South Eastern Ave., Las Vegas, Nevada 89119. Plaintiff,
16 was walking into the WALMART store when she slipped on the area in front of the door where there
17 was slick concrete and no mat while it was raining .

18 6. As a result of the above mentioned injury, Plaintiff, MELISSA STRAWDER-
19 McCURRY is continuing to endure significant pain, suffering and medical treatment.
20 to endure surgery, rehabilitation and several months of rehabilitation.

21 7. Defendant so carelessly and negligently, owned, controlled, inspected and maintained
22 the premises in what they knew or should have known was an unstable and dangerous condition, so
23 as to cause injuries to Plaintiff, MELISSA STRAWDER-McCURRY.

24 8. As a result of the aforementioned acts, Defendant is liable for the substantial and
25 permanent injuries that Plaintiff, MELISSA STRAWDER-McCURRY sustained.

26 **FIRST CAUSE OF ACTION**
NEGLIGENCE
27 **(As to All Defendants)**

28 9. Plaintiffs hereby adopt and incorporate by reference Paragraphs 1 through 11 of this

1 complaint as though fully set forth herein.

2 10. Defendant, owed Plaintiff, MELISSA STRAWDER-McCURRY, a duty to exercise
3 reasonable and ordinary care in the exercise of their duties so as to prevent injury or harm to Plaintiff.

4 11. As a direct and proximate cause of the Defendant's breach, Plaintiff, MELISSA
5 STRAWDER-McCURRY, suffered severe and grave injuries to her body..

6 12. Plaintiff's injuries resulted in great pain, suffering, impairment, surgery, disability
7 from the date of the incident to the present in excess of \$50,000.00 Further, her pain, suffering,
8 impairment and disability will continue into the future, thereby resulting in medical and other special
9 expenses in an amount to be proved at trial.

10 13. As a direct and proximate result, Plaintiff, MELISSA STRAWDER-McCURRY incurred
11 expenses for medical care and treatment.

12 14. That at the time of the happening of the incident, Plaintiff, MELISSA STRAWDER-
13 McCURRY, was a well and able bodied individual; that as a direct and proximate result of the
14 negligence, carelessness, recklessness and wantonness of said Defendants and each of them, Plaintiff,
15 MELISSA STRAWDER-McCURRY, has been absent from her employment which has resulted in
16 a loss of earnings and a loss of earning capacity, all to her damage, in an amount unknown to her at
17 the present time. When the amount of said damages are ascertained, Plaintiff, will seek leave of this
18 court to amend this Complaint according to show such damages.

19 15. As a result of the aforementioned conduct, Plaintiffs have been compelled to retain
20 the undersigned law firm, to prosecute this action, and Plaintiff is entitled to reasonable attorney's
21 fees and costs incurred therein.

22 **WHEREFORE**, Plaintiff prays for relief from Defendants as follows:

- 23 1. For general damages in excess of \$50,000;
24 2. For special damages to be proved up at trial;

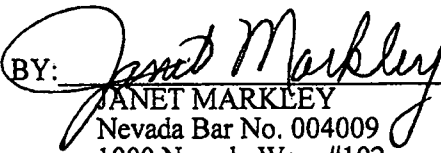
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- 1 3. For reasonable attorney's fees and costs incurred herein;
- 2 4. For such other and further relief as the Court may deem just and proper in this
- 3 matter.

4 DATED this 14th of December, 2012.

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6 JANET S. MARKLEY, ESQ., P.C.

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9 BY: 
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14 Attorneys for the Plaintiffs
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